

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Jared Goyette,  
*on behalf of himself and other  
similarly situated individuals,*

Court File No. \_\_\_\_\_

Plaintiff,

v.

City of Minneapolis; Minneapolis  
Chief of Police Medaria Arradondo *in  
his individual and official capacity*;  
Minneapolis Police Lieutenant Robert  
Kroll, *in his individual and official  
capacity*; Minnesota Department of  
Public Safety Commissioner John  
Harrington, *in his individual and  
official capacity*; Minnesota State  
Patrol Colonel Matthew Langer, *in his  
individual and official capacity*; and  
John Does 1-2, *in their individual and  
official capacities*.

Defendants.

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**DECLARATION OF ISABELLA SALOMÃO NASCIMENTO**

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My name is Isabella Salomão Nascimento. I declare under penalty of  
perjury under the laws of the United States of America that the following is true  
and correct:

1. I am one of the staff attorneys for the ACLU-MN.

2. I collected all of the images and videos referenced herein from the public Twitter pages of the individuals—journalists and photographers—named below.

3. Jared Goyette is a freelance journalist, covering the protests in honor of George Floyd for the Washington Post. He has been reporting his experiences as press during the protests on Twitter.

- a. On May 27, 2020, at 6:27 p.m., Mr. Goyette posted an image of a man's face, with bruising and bleeding to the bridge of his nose and under one of his eyes, a bandage hanging off his cheek, and his eyebrows and nose covered in a white liquid. The image is captioned, "I got hit in the eye and then tear gassed." *See* Exhibit 1.
- b. On May 27, 2020, Mr. Goyette tweeted a series of tweets documenting his injuries. He tweeted, "I am OK, home, icing my eye. It's swollen. It hit my nose first which helped[.] I wasn't trying to put myself at risk. I wanted to document what was happening to the young man who seemed critically injured, and the people who were trying to keep him alive. Then I got hit." *See* Exhibit 2.

- c. He continued, “People rushed to help me and bandage my eye and face. I started to realize I wasn’t seriously injured, and they helped me up when a cloud of tear gas came our way and everyone ran.” *See Exhibit 2.*
- d. He continued, “I was leaning against a building trying to gather myself when folks started smashing windows. Important context: That seemed to happen as the situation escalated, the crowd’s anger rose as rubber bullets + canisters hit. It didn’t happen randomly or in isolation.” *See Exhibit 2.*
- e. On May 28, 2020, at 10:59 a.m., Mr. Goyette posted an image of a man’s face with injuries to the bridge of his nose and a swollen and bruised black eye, captioned, “I want to be reporting. Instead I am getting my eye looked at. Here is me and my patient daughter. She wants me to get an eye patch so I look like a pirate.” *See Exhibit 3.*
- f. On May 29, 2020, at 5:19 p.m., Mr. Goyette responded to a tweet from Maggie Koerth, writing, “.@eyedrbauer88 told me it that based on his experience, the injury [Mr. Goyette suffered] was the equivalent of getting a direct hit with a fast ball, with bruising in front of the eye, inside it and behind it.

There were a lot of tax payer purchased projectiles wizzing by people's heads that day.” See Exhibit 4.

- g. On May 30, 2020, at 11:56 p.m., Mr. Goyette posted a video of an individual repeatedly yelling “Press!”, captioned, “Earlier: when the police pointed their guns at me I got nervous, and frankly I could have kept a better tone. It’s hard for everyone out here.” See Exhibit 5.
- h. On May 31, 2020, at 12:14 p.m., Mr. Goyette posted a video of a man recounting his experience when the police shot his car. The video is captioned, “This is @RyanFaircloth, a reporter with the @StarTribune. He says he was trying to get home when police shot out his window. He is bleeding but seems ok.” See Exhibit 6.
- i. On May 31, 2020, at 12:17 a.m., Mr. Goyette posted an image of a car with the front passenger side window shattered, captioned, “This is what happened to @RyanFaircloth’s [reporter of the StarTribune] car. He says police shot out his window. He was hurt. Neighbors helped him out of the car.” See Exhibit 7.

4. Linda Tirado is an author and freelance photographer. She attended and documented her experience as press during the George Floyd protests on Twitter.

- a. At 1:32 a.m., on May 30, 2020, Ms. Tirado posted two images on Twitter. The first was of her face, showing a black eye swollen shut, with a bandage draped across the side of the eye; the second is of a backpack with green residue on it. She captioned the images, “Hey folks, took a tracer found [sic] to the face (I think, given my backpack) and am headed into surgery to see if we can save my left eye.” *See Exhibit 8.*
- b. On May 30, 2020, at 12:30 p.m., Ms. Tirado tweeted, “an update: I am permanently blind in my left eye, and the docs absolutely refuse to let me go back to work for they say six weeks. I’m definitely not allowed to be near smoke or gas.” *See Exhibit 9.*
- c. On May 30, 2020, at 12:41 p.m., Ms. Tirado tweeted, “[W]hat we think happened is I took a rubber bullet to the face. It exploded my eyeball, which has now been patched together but who knows if it’ll need more surgery. My vision is gone no

matter what it winds up looking like scar wise[.]” *See* Exhibit 10.

- d. On May 30, 2020, at 4:51 p.m., Ms. Tirado tweeted, “Okay because people are awful and we can’t even take a day off it comes to my attention that some folks are using my injury to argue that people should stop protesting[.] Fuck that, stay in the streets double for me, cause I can’t. It was police who shot me, not protesters.” *See* Exhibit 11.
- e. At 12:39 p.m. on May 31, 2020, Ms. Tirado tweeted, “Welp, I’ll need at least one more major surgery but the doctors are pleased so far so that’s good[.] I guess we’re gonna find out how much it costs to go blind in America[.]” *See* Exhibit 12.

5. Molly Hennessy-Fiske is a staff writer for the Los Angeles Times. She has been reporting her experiences during the protests in Minneapolis in honor of George Floyd on Twitter.

- a. At 8:56 p.m., on May 30, 2020, Ms. Hennessy-Fiske posted a video detailing her encounter with Minnesota State Patrol, captioning the video, “Minnesota State Patrol just fired tear gas at reporters and photographers at point blank range.” *See* Exhibit 13.

- b. On May 31, 2020, at 12:12 a.m., Ms. Hennessy-Fiske posted an image of an individual's leg, wearing jeans, with residue on the pant leg. She captioned the image, "I got hit with a rubber bullet I think, maybe two." *See Exhibit 14.*
- c. At 12:19 a.m., on May 31, 2020, Ms. Hennessy-Fiske posted an image of the back of an individual's bare leg, with multiple visible bruises and welts, captioned, "That's the PG version of my leg courtesy of @MnDPS\_MSP [Minnesota State Patrol][.] [S]till going to report tonight and tomorrow[.]" *See Exhibit 15.*
- d. On May 31, 2020, at 1:25 a.m., Ms. Hennessy-Fiske posted a link to a news article in the Los Angeles Times, captioning the post, "Here's the story of how @Carolyn\_Cole and I were fired on by @MnDPS\_MSP #Minneapolis Times reporter recounts being hit with tear gas and rubber bullets by Minnesota police[.]" *See Exhibit 16.*
- e. On May 31, 2020, at 3:39 p.m., Ms. Hennessy-Fiske posted two images. The first is of a projectile, labeled "SKAT-SHELL CS 40 MM Multiple Projectile"; the second is of an orange-tipped projectile. The images are captioned, "1/ Quick update thread: Revisited the scene outside #Minneapolis police Fifth Precinct

today to see where Minnesota State Patrol fires at us with tear gas, rubber bullets and pepper spray. These were recovered by @brianstelter crew at the scene[.]” *See* Exhibit 17.

- f. At 3:41 p.m., on May 31, 2020, Ms. Hennessy-Fiske continued her “update thread,” posting, “2/Here’s where things started @MinneapolisPD emerged from behind fence, then retreated and a larger group of @MnDPS\_DPS emerged in riot gear[.]” *See* Exhibit 18.
- g. At 3:46 p.m., on May 31, 2020, Ms. Hennessy-Fiske continued her “update thread,” posting, “3/We reporters and photogs tried to shield ourselves in this alcove.” *See* Exhibit 19.
- h. Ms. Hennessy-Fiske continued her “update thread,” posting two images of a concrete wall, captioned, “4/The alcove[.]” *See* Exhibit 19.
- i. At 3:50 p.m., on May 31, 2020, Ms. Hennessy-Fiske continued her “update thread,” posting, “7/We ran up the street to the left. You can hear me in the video shouting ‘We’re reporters!’ And ‘Where do we go?’ Police didn’t respond except to pursue us and continue firing.” *See* Exhibit 20.



- j. At 3:51 p.m., on May 31, 2020, Ms. Hennessy-Fiske continued her “update thread,” posting an image of a short cement wall with a black gate to its left, captioned, “8/Once we were stuck against this wall, we had to scale it and run to a nearby senior apartment complex.” *See Exhibit 21.*
- k. At 3:52 p.m., on May 31, 2020, Ms. Hennessy-Fiske continued her “update thread,” posting an image of a building entry vestibule, captioned, “9/ The video I posted initially sharing what happened was filmed as I tried to avoid police in this vestibule.” *See Exhibit 22.*
- l. At 11:30 p.m. on May 31, 2020, Ms. Hennessy-Fiske posted a link to a Los Angeles Times story, with the thumbnail image of a person sitting up against the corner of a brick wall, mouth agape, goggles on top of the head, and red-faced, captioning the link, “This story includes a photo of @Carolyn\_Cole after she was pepper sprayed by @MnDPS\_MSP.” *See Exhibit 23.*

6. Carolyn Cole is a Los Angeles Times staff photographer. She has attended and documented her experience as press during the George Floyd protests on Twitter.

- a. On May 31, 2020, at 4:17 p.m., Ms. Cole posted an image of her face, with red eyes, with one eye closed and the other only partially open. She captioned the image, “Unable to cover #Minneapolis story after @latimes @mollyhf [Molly Hennessy-Fiske, reporter for the Los Angeles Times] & I + other #journalists attacked by #MinnesotaStatePolice[.] @GovTimWalz [Minnesota Governor Tim Walz] apologizes during press conference.” *See Exhibit 24.*

7. Ryan Faircloth reports for the StarTribune. He has been reporting his experiences during the protests in Minneapolis in honor of George Floyd on Twitter.

- a. On May 30, 2020, at 11:46 p.m., Mr. Faircloth responded to his colleague Chao Xiong’s tweet, stating, “My colleague, @ChaoStrib [Chao Xiong], and I were driving near Lake Street and mistakenly turned down a street that was blocked off at the end. Before we had a chance to reverse, the Guard/State Patrol fired #rubber bullets at our car without warning.” *See Exhibit 25.*

- b. At 12:15 p.m., on May 31, 2020, Mr. Faircloth tweeted, “It isn’t horrible but I am shook up. The window completely shattered and smoke filled the car.” *See* Exhibit 26.
- c. In response to that tweet, Mr. Faircloth posted two images. The first is of an individual’s face, with blood coming down the side of his face, from near his eye and eyebrow; the second is of the same individual’s arm with blood running down the forearm. Mr. Faircloth recounts the incident in a video posted to his Twitter feed. *See* Exhibit 26.
- d. At 12:37 p.m., on May 31, 2020, Mr. Faircloth posted two images. The first is from the exterior of a car, looking into the car from the front passenger side window, but the window is missing and shards of the glass from the window appear at the base of the window frame of the door; the second is of shards of glass on the passenger side seat in the car. The images are captioned, “Photos of car. Glass exploded inward.” *See* Exhibit 27.
- e. On May 31, 2020, at 1:18 a.m., Mr. Faircloth tweeted, “Just deleted tweet about my car being hit with ‘live rounds.’ Don’t

want folks using it to push misinfo. Brain was foggy as I tweeted, meant to say it was a marker round. Regardless, the window completely shattered inward. Left me with cut on left brow and cuts on arm.” *See Exhibit 28.*

- f. At 5:05 p.m., on May 31, 2020, Mr. Faircloth tweeted, “To clarify for some folks: My car was fired at on two separate occasions last night. The first instance, mentioned below [referencing his tweet from 11:46 p.m. on May 30, 2020], happened right before I dropped @ChaoStrib off at his car. The second while I was driving alone, when the window shattered and shards of glass cut me.” *See Exhibit 29.*

8. Andrew “Andy” Mannix reports for the StarTribune. He has been reporting his experiences during the protests in Minneapolis in honor of George Floyd on Twitter.

- a. On May 26, 2020, at 7:55 p.m., Mr. Mannix posted an image of a white vehicle with green residue on it on Twitter, captioned “Police shooting marking rounds. This one missed me by about a foot.” *See Exhibit 30.*

- b. At 8:00 p.m. on May 26, 2020, Mr. Mannix posted an image of a blue-tipped rubber bullet, writing “I Was just shot with this in the thigh.” *See* Exhibit 31.
- c. At 9:29 p.m. on May 26, 2020, Mr. Mannix tweeted that his “car is like three miles away. . . . It’s raining hard and the welt from the rubber bullet is killing my thigh . . . .” *See* Exhibit 32.
- d. At 11:18 p.m., on May 26, 2020, Mr. Mannix posted an image of a blue-tipped rubber bullet, explaining its characteristics as a “Plastic base, squishy end.” *See* Exhibit 33.
- e. At 11:32 p.m., on May 26, 2020, Mr. Mannix posted an image of his inner thigh, exhibiting a welt with a red inner circle and blue and purple bruising beginning to form around it. He captioned the image, “Here’s the damage. Sorry to make you look at my pale thigh.” *See* Exhibit 34.
- f. At 4:25 p.m., on May 27, 2020, Mr .Mannix posted another image of his inner thigh, showing the progress of the welt. He captioned the image, “Here’s my leg today. This is from a non-lethal projectile, fired by Minneapolis police while I covered protests of #GeorgeFloyd last night. Stay safe folks[.]” *See* Exhibit 35

- g. On May 31, 2020, at 1:16 a.m., Mr. Mannix tweeted that the “cops seem to care zero about press exemption from curfew,” referring to Governor Tim Walz’s curfew imposed over the cities of Minneapolis and St. Paul from 8:00 p.m. to 6:00 a.m., but with a carve out for press/media to remain out during curfew hours. *See* Exhibit 36.

9. Chao Xiong reports for the StarTribune. He has been reporting his experiences during the protests in Minneapolis in honor of George Floyd on Twitter.

- a. On May 31, 2020, at 12:06 p.m., Mr. Xiong tweeted, “I’m with @ByLizSawyer [Liz Sawyer, newspaper woman for the StarTribune] and 2 Kurdish journalists and 1 Japanese journalist near 5th precinct. Cops told us to go home. When we said we were press on said ‘Your cards are bullshit’ #GeorgeFloyd[.]” *See* Exhibit 37.
- b. In response to this post, Mara Klecker, another StarTribune reporter, replied on May 31, 2020, at 12:25 p.m. saying, “St. Paul Police also told media to go home tonight. I showed my press badge and was told ‘doesn’t matter’[.]” *See* Exhibit 38.

10. Anthony Soufflé is a staff photographer for the StarTribune. He has attended and documented his experience as press during the George Floyd protests on Twitter.

- a. On May 30, 2020, at 11:13 a.m., Mr. Soufflé tweeted, “We’ve had several photographers threatened and assaulted covering the protests and riots here in Minneapolis. It’s been increasing every day. I covered Ferguson after Mike Brown was killed and this is exponentially more violent and chaotic.” *See Exhibit 39.*
- b. On May 31, 2020, at 2:00 a.m., Mr. Soufflé tweeted, “I’m livid at the complete and utter disregard by law enforcement tonight in Minneapolis of the exempt status of press covering the protests here. @GovTimWalz [Governor Tim Walz], @MayorFrey [Minneapolis Mayor Jacob Frey], @MayorCarter [St. Paul Mayor Melvin Carter] all exempted press and yet police arrested, fired projectiles at, and pepper sprayed journalists.” *See Exhibit 40.*
- c. On May 31, 2020, at 10:57 a.m., Mr. Soufflé posted two images. The first is of a man crouched on the ground, clutching his chest, with another individual behind him, holding his

shoulder; the second is an image of the same man on the ground, with a woman in a pink backpack pouring the contents of a plastic water bottle on his face. The images are captioned, “One of these groups came to my aid when we were tear gassed yesterday. I’m incredibly thankful for them.” *See Exhibit 41.*

- d. In response to another journalist’s photo of her facial injuries, on May 31, 2020, at 6:49 p.m., Mr. Soufflé tweeted, “This is completely insane. I was with Carolyn last night when we got tear gassed. She’s easily one of the most experienced and professional people in the business having covered hotspots all over the world. Absolutely appalling.” *See Exhibit 42.*

11. Chris Serres reports for the StarTribune. He has been reporting his experiences during the protests in Minneapolis in honor of George Floyd on Twitter.

- a. On May 30, 2020, at 9:08 p.m., Mr. Serres posted an image of collapsed traffic and construction signs, with a man in a black sweatshirt in the frame, and captioned it, “Standoff near Lake and Nicollet. Protestors pile signs as makeshift barricades. Just hit by rubber bullet.” *See Exhibit 43.*



- b. On May 31, 2020, at 9:18 a.m., Mr. Serres posted an image of protestors running away from a line of law enforcement officials, with the caption, “Regarding police behavior last night, I was twice ordered at gunpoint by Minneapolis police to hit the ground, warned that if I moved ‘an inch’ I’d be shot. This after being teargassed and hit in the groin area by rubber bullet. Waiving Star Tribune press badge made no difference.” *See Exhibit 44.*

12. Torey Van Oot reports for the StarTribune. She has been reporting her experiences during the protests in Minneapolis in honor of George Floyd on Twitter.

- a. On May 30, 2020, Ms. Van Oot posted a video recording a television report of a WCCO videographer being arrested after identifying himself as press. The image is captioned, “Here’s my video of @WCCO videographer being arrested here in Minneapolis tonight, after IDing himself. He is yelling for his producer.” *See Exhibit 45.*

13. Guy Still is the assignment manager for WCCO. He reports on the experience of one of his staff member’s arrest during the protests in Minneapolis in honor of George Floyd on Twitter.

- a. On May 30, 2020, Mr. Still tweeted, “The @MnDPS\_MSP has arrested @wcco photojournalist Tom Aviles, who clearly identified himself a day after arresting a @CNN crew live on the air. @wccophotogs[.]” *See Exhibit 46.*
- b. In response to his own tweet, he posted a video on May 30, 2020, captioned “After more than two hours in custody he has been released, despite numerous earlier assurances from authorities he was already out. Here is the video of Tom [Aviles] being hit by a non-lethal round.” *See Exhibit 46.*

14. Max Nesterak reports for the Minnesota Reformer. He has been reporting his experiences during the protests in Minneapolis in honor of George Floyd on Twitter.

- a. On May 27, 2020, at 11:32 p.m., Mr. Nesterak posted two images. The first is of a street with a car, behind which is a large fire; the second is a “selfie” of a man in a black jacket, covered in white powder. He captioned the images, “And I got hit in the chest by a rubber bullet from police. Covered me in dust that’s been making me cough for a half hour. I’m home now.” *See Exhibit 47.*

- b. At 11:34 p.m., on May 27, 2020, Mr. Nesterak posted two images. The first is of a filled target shopping cart; the second is a blurry image. He captioned the images, “This is the photo I took right before and then during getting hit.” *See* Exhibit 48.

15. Michael Anthony Adams is a correspondent and producer for VICE News. He has been reporting his experiences during the protests in Minneapolis in honor of George Floyd on Twitter.

- a. On May 30, 2020, at 10:46 p.m., Mr. Adams posted a video of law enforcement in tactical gear, with one focusing a light at the camera. The image is captioned, “Police had weapons trained on a group of us. We held up our press passes. One kept his rifle on us while the others continued to fire foam baton rounds.” *See* Exhibit 49.
- b. At 11:11 p.m., on May 30, 2020, Mr. Adams posted a video of an officer approaching the camera, captioned, “Police just raided the gas station we were sheltering at. After shouting press multiple times and raising my press card in the air, I was thrown to the ground. Then another cop came up and pepper sprayed me in the face while I was being held down.” *See* Exhibit 50.

- c. At 4:18 p.m., on May 31, 2020, Mr. Adams posted a video of the same encounter from a different angle at the gas station, captioned, “DP @vargaracam was rolling when Minneapolis police and state troopers stormed the gas station we were spending time. Here’s the incident above [in reference to another Tweet] from a different angle[.]” See Exhibit 51.

16. Ryan Raiche is an investigative reporter for KSTP. He has been reporting his experiences during the protests in Minneapolis in honor of George Floyd on Twitter.

- a. On May 30, 2020, at 9:26 p.m., Mr. Raiche posted an image of an individual’s face covered in some liquid, with eyes red and watery, captioned, “Myself, photographer, and producer just made it back to the car. We were with a group of media and thought we were in a safe spot. We kept saying we’re media. Police tear gassed and pepper sprayed the entire group. Everyone ran. It was insane. It happened so fast.” See Exhibit 52.
- b. At 10:02 p.m., on May 30, 2020, Mr. Raiche tweeted, “To be clear, our crew is ok. Other than vomiting and skin burning.

We are in our station vehicle, but no one is being allowed through anywhere.” See Exhibit 53.

- c. On May 31, 2020, at 4:14 a.m., Mr. Raiche posted a link to a Facebook video, captioned, “My skin is still burning from the pepper spray, but we made it back to the station, changed our clothes, and finally re-racked the video from our encounter with police. Here’s the full version, as I recounted on TV early this morning.” See Exhibit 54.

17. Zach D. Roberts is a freelance photojournalist. He has attended and documented his experience as press during the George Floyd protests on Twitter.

- a. On May 29, 2020, at 7:29 p.m., Mr. Roberts posted an image of a man’s face with eyes closed, red-faced, and covered in some liquid, captioned, “I just got pepper sprayed and they’re currently shooting rubber bullets the size of a child’s fist at the crowd. #Minnapolisprotests #Minneapolis[.]” See Exhibit 55.
- b. At 7:37 p.m., on May 29, 2020, Mr. Roberts tweeted, “I couldn’t see for about a full 5 minutes that was when they were shooting rubber bullets into the crowd I had several protesters here shield me and then walk me to safety and then hand me water.” See Exhibit 56.

- c. At 8:22 p.m., on May 29, 2020, Mr. Roberts posted an image of a man's face with red eyes, captioned "I just got tear gassed and ricochet hit by a rubber bullet on my leg. These cops are fucking monsters. #JusticeforGeorge #Minneapolisprotests #policeriot." *See* Exhibit 57.
- d. At 12:22 p.m., on May 30, 2020, Mr. Roberts posted a video, captioned "Here's the confrontation that caused me and several protestors to get hit with pepper spray in #Minneapolis. Note that the police have nothing but room to back up. They were not cornered. They just responded to angry yelling with violence. The pepperspray [sic] continued after I ran." *See* Exhibit 58.

18. Andrew Kimmel is a television and web-content producer. He has attended and documented his experience as press during the George Floyd protests on Twitter.

- a. On May 31, 2020, at 1:57 a.m., Mr. Kimmel posted a video of a number of cars with their tires slashed, captioned "Minneapolis Police slashed every tire on my rental car, as well as every tire of every car in this parking lot." *See* Exhibit 59

Dated: June 2, 2020

/s/ Isabella Salomão Nascimento